

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

STANDING ROCK SIOUX TRIBE, YANKTON  
SIOUX TRIBE; ROBERT FLYING HAWK;  
OGLALA SIOUX TRIBE,

Plaintiffs,

and

CHEYENNE RIVER SIOUX TRIBE; SARA  
JUMPING EAGLE ET AL.,

Plaintiff-Intervenors,

v.

U.S. ARMY CORPS OF ENGINEERS,

Defendant-Cross Defendant,

and

DAKOTA ACCESS, LLC,

Defendant-Intervenor-Cross  
Claimant.

Case No. 1:16-cv-1534-JEB  
(and Consolidated Case Nos. 16-cv-  
1796 and 17-cv-267)

---

**DAKOTA ACCESS, LLC'S CONSENTED-TO  
MOTION FOR EXTENSION OF PAGE LIMITS**

---

Pursuant to Local Rule 7(e), Dakota Access, LLC ("Dakota Access") respectfully moves for leave to file a single, consolidated brief of no more than 35 pages in reply to Plaintiffs' four separate briefs in opposition to Dakota Access's cross-motion for summary judgment. The briefing schedule contemplates that the Corps should file its replies by November 22, 2019, and Dakota Access should file its replies by November 25, 2019. Minute Order of Oct. 31, 2019. As of this filing, the U.S. Army Corps of Engineers has filed three of its four replies. D.E. 471, 472, 473. Combined, those briefs already total more than 50 pages. The Court granted a similar request for Dakota Access's memorandum in opposition to Plaintiffs' motions for summary judgment and

in support of a cross-motion for summary judgment. Minute Order of Oct. 17, 2019. A single consolidated reply by Dakota Access would similarly serve judicial efficiency. A brief of 35 pages would also likely be notably shorter than the total number of pages that would be needed for Dakota Access to file separate replies to each Plaintiff. *See L.R. Civ. 7(e)* (allowing 25 pages per reply). Plaintiffs and the Corps each have stated that they do not object to this request.

WHEREFORE, Dakota Access prays for an order granting it leave to file a single reply not to exceed 35 pages.

Dated: November 22, 2019

Respectfully submitted,

/s/ William S. Scherman  
William S. Scherman  
David Debold  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 955-8500  
[wscherman@gibsondunn.com](mailto:wscherman@gibsondunn.com)

*Counsel for Dakota Access, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this day of November 22, 2019, I electronically filed the foregoing document using the CM/ECF system. Service was accomplished by the CM/ECF system.

/s/ William S. Scherman

William S. Scherman  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 955-8500  
wscherman@gibsondunn.com

*Counsel for Dakota Access, LLC*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

STANDING ROCK SIOUX TRIBE,  
YANKTON SIOUX TRIBE; ROBERT  
FLYING HAWK; OGLALA SIOUX  
TRIBE,

Plaintiffs,

and

CHEYENNE RIVER SIOUX TRIBE;  
SARA JUMPING EAGLE ET AL.,

Plaintiff-Intervenors,

v.

U.S. ARMY CORPS OF ENGINEERS,

Defendant-Cross Defendant,

and

DAKOTA ACCESS, LLC,

Defendant-Intervenor-Cross  
Claimant.

Case No. 1:16-cv-1534-JEB  
(and Consolidated Case Nos. 16-cv-1796 and  
17-cv-267)

---

**[PROPOSED] ORDER GRANTING DAKOTA ACCESS, LLC'S  
CONSENTED-TO MOTION FOR EXTENSION OF PAGE LIMITS**

---

The Court orders that Dakota Access, LLC's Consented-To Motion For Extension Of Page Limits is GRANTED. Dakota Access, LLC may file a single, consolidated brief of no more than 35 pages in reply to Plaintiffs' oppositions to Dakota Access's cross-motion for summary judgment.

Dated: \_\_\_\_\_

---

Hon. JAMES E. BOASBERG  
United States District Judge